80 Highland Avenue
Rochester, New York 14620
September 25, 1992

Richard D. Burns, or Current Executive Director
Lesbian and Gay Community Services Center
208 West 13th Street
New York City, New York 10011

Dear Mr. Burns (or Current Executive Director):

I am a member of the Gay Alliance of Genesee Valley, Inc., located at 179 Atlantic Avenue, Rochester, New York 14607. In addition, I am a lawyer representing the GAGV in its lawsuit challenging Rochester's denial of the GAGV's request for property tax exempt status for the building we purchased for use as a community center two years ago.

Rochester denied the GAGV's application for property tax exempt status primarily because, their lawyer has stated, they just don't know whether the law allows an organization such as ours to have tax exempt property. Then we learned that the building owned by the Lesbian and Community Services Center was granted property tax exempt status. In my view, one of the best ways to demonstrate that the GAGV's building deserves property tax exempt status is to let the court and the city know of the LGCSC's tax exempt status.

For this reason, some time ago, I spoke with someone (whose name I lost) in your office concerning your willingness to sign an affidavit stating that the Lesbian and Gay Community Services Center had property tax exempt status. The man with whom I spoke assured me that doing so would probably not be a problem. Although this affidavit should have been sent to you a lot sooner, I have now gotten around to drafting an affidavit for your review and signature.

The information in the affidavit came primarily from (beautiful) Annual Report of 1991 - 1992. In addition, I put in the information relating to your current property tax dispute that I learned about in my conversation. If that dispute has been resolved, feel free to correct or delete the paragraph.

In fact, please feel free to correct any misinformation in the affidavit that you find. If Mr. Burns is no longer Executive Director, or if someone other than Mr. Burns should sign the affidavit, please feel free to draft your own. It does not have to be on red-lined paper, nor does it have to have special margins. Just be sure that the original you return to me (at my above home address) is signed and notarized, and that the year the LGCSC received its property tax exempt status is filled in and initialed at paragraph 11.

In addition, if you can scrounge up a copy of your original application, and/or the letter or other document that granted you tax exempt status, please send us a copy of those documents as well. Another defense Rochester has raised is that we are not an educational, religious, or hospital organization, so we do not fit within the guidelines of the law. It would be enormously helpful, therefore, to see how the LGCSC's application and/or final grant of status document characterized the LGCSC.

If you have any questions, please call me at my work number, 716-454-6500, or my home number, 716-256-0508. As you might suspect, I need the affidavit immediately, since we have to file our papers immediately. I will call your office Tuesday, September 29, 1992, to see if you have received this letter, and to see if you have any questions.

Thank you very much for your help. Both the GAGV and I really appreciate it, and I promise to let you know the outcome of our litigation.

Very truly yours,

Ellen M. Yacknin

Enc.